IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 6695 of 1994

Between:

Md. Aslam S/o. Late Abdul Rahim, aged 29 years,
Dept. of Chief Material Management, Visakhaptnam Port Trust,
Visakhapatnam.

..... PETITIONER

AND

The Chief Material Manager (Controller of Stores)
Visakhapatnam Port Trust, Visakhapatnam.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or direction preferably writ of mandamus directing the respondent to regularise the services of the petitioner on the afternoon of 9.3.1994 as per condition 11 of the appointment order dt. 17.3.1992 by declaring the order of the Respondent Dt. 26.2.1994 as illegal, arbitrary and violates the principles of natural justice.

Counsel for the Petitioner:MR.V.SRINIVAS

Counsel for the Respondent : MR.K.SRINIVASAMURTHY

The Court made the following :

O R D E R :

This Writ Petition is filed challenging the order dated 26.2.1994 passed by the respondent-the Chief Material Manager (Controller of Stores), Visakhapatnam Port Trust, Visakhapatnam wherein directions were sought for regularization of the services of the petitioner with effect from 9.3.1994 afternoon.

2. It is the case of the petitioner that he was appointed as Issue Clerk after following the recruitment rules and accordingly he was issued with the appointment order dated 7.3.1992. In the said order he was put on probation for a period of 24 months. It is also stated that the petitioner was appointed under Sports Quota. However, after the expiry of probation period, the respondent issued another order dated 26.2.1994 extending the period of probation. The said order came to be challenged in the present Writ Petition.

3. By virtue of the interim orders passed by this Court, the petitioner continued in service till now i.e. for more than ten years. Under those circumstances, the writ petition has become infructuous. However, the respondent shall take further action to confirm the services of the petitioner as the extension of probation period also expired long back.

4. Subject to the above direction, the Writ Petition is disposed of. No costs.

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G. BIKSHAPATHY, J

Dated:23.9.2004,

ccm

To

1. The Chief Material Manager (Controller of Stores)
Visakhapatnam Port Trust, Visakhapatnam.

2. 2 CD copies